

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR13-137-MJP
Plaintiff,)
)
v.)
) DETENTION ORDER
DAVID COX,)
)
Defendant.)
_____)

Offense charged: Possession of Unregistered Firearm

Date of Detention Hearing: May 16, 2013.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been indicted for unlawfully possession certain firearms which

01 are required to be registered. The AUSA advises that a superseding indictment is forthcoming
02 in which defendant will also be charged with possession of a firearm in furtherance of a drug
03 trafficking crime, which carries a mandatory 5 year consecutive sentence. The instant charge
04 arose in the context of a search of a house in which defendant resided with his co-defendant,
05 during which numerous firearms, controlled substances, cash, drug paraphernalia, and what the
06 government describes as a “home invasion burglary kit” consisting of a mask, baseball bat,
07 firearms, and restraints. Also seized from the residence were items alleged to have been stolen
08 from defendant’s previous employer, listed for sale on Craig’s List. Defendant’s housemate
09 and co-defendant is a convicted felon, prohibited from possessing a firearm or ammunition.

10 2. Defendant poses a risk of nonappearance based on use of controlled substances
11 and past failures to appear. He poses a risk of danger based on the nature and circumstances of
12 the charges, use of controlled substances, and prior criminal record including pending charges.

13 3. There does not appear to be any condition or combination of conditions that will
14 reasonably assure the defendant’s appearance at future Court hearings while addressing the
15 danger to other persons or the community.

16 It is therefore ORDERED:

17 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
18 General for confinement in a correction facility separate, to the extent practicable, from
19 persons awaiting or serving sentences or being held in custody pending appeal;

20 2. Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 3. On order of the United States or on request of an attorney for the Government, the

01 person in charge of the corrections facility in which defendant is confined shall deliver
02 the defendant to a United States Marshal for the purpose of an appearance in connection
03 with a court proceeding; and

- 04 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
05 for the defendant, to the United States Marshal, and to the United State Pretrial Services
06 Officer.

07 DATED this 17th day of May, 2013.

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10 Mary Alice Theiler
11 United States Magistrate Judge
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